

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:21-cv-00346-MR**

MICHAEL ANTHONY SHERIDAN,)
Plaintiff,)
vs.)
AVERY MITCHELL CORRECTIONAL,)
Defendant.)

ORDER

THIS MATTER is before the Court sua sponte on review of the docket in this matter.

Pro se Plaintiff Michael Anthony Sheridan (“Plaintiff”) is a prisoner of the State of North Carolina currently incarcerated at Avery Mitchell Correctional Institution in Spruce Pine, North Carolina. On November 29, 2021, Plaintiff filed this action pursuant to 42 U.S.C. §.¹ [Doc. 1]. Plaintiff failed to pay the filing fee or an application to proceed without prepayment of fees. The Clerk sent Plaintiff a Notice of Deficiency, directing him to either pay the filing fee or the required application to proceed without prepayment of fees, within 21 days of the Clerk’s Notice or this action may be dismissed.

¹ Plaintiff improperly filed this action in the Eastern District. It was promptly transferred to this District the next day. [Doc. 3].

without prejudice. [Doc. 5]. As of this Order, Plaintiff has not complied with the Clerk's Order. The Court will, therefore, dismiss this action without prejudice.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: January 3, 2022



Martin Reidinger
Chief United States District Judge

